

REMARKS

Claims 1 and 3-17 are pending and have been examined.

Applicants thank the Examiner for allowing claims 3-7.

Claims 1 and 8-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Walsh (U.S. Patent No. 3,424,873). Further, Claims 9 and 12-14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Barton (U.S. Patent No. 1,713,210). Claims 9-10 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Suzuki (U.S. Patent No. 4,395,597). Claims 9 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Sakuri (U.S. Patent No. 4,275,278). Finally, claims 13, 15 and 16 stand rejected under 35 U.S.C. § 103(a) as being obvious in view of Barton.

As set out above, Applicants have cancelled claim 9-17. Accordingly, the prior art rejections under § 102(b) based on Barton, Suzuki and Sakuri are now moot. In addition, the prior art rejection under § 102(b) of claims 9-11 based on Walsh is also moot. As a final matter, the prior art rejection under § 103(a) based on Barton is now moot. Applicants traverse the only remaining prior art rejection, the rejection of claims 1 and 8 under 102(b).

I. Objection to the drawings

In the earlier Office Action dated March 9, 2004, the Examiner objected to the drawings. Applicants respectfully traversed this rejection in their responsive communication of June 9, 2004. The Examiner has not indicated that the drawings have now been approved. Therefore, Applicants respectfully request that the Examiner indicate approval of the drawings as filed in the next communication from the PTO.

II. Rejection under 35 U.S.C. § 102(b) over U.S.P. 3,424,873 to Walsh

Claims 1 and 8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Walsh.

As set out above, Applicants have amended claim 1 to clarify that the auxiliary diaphragm is integrally bonded to a first part of the diaphragm body and the diaphragm body also includes a second part in an area, except for the center, which is not covered by the auxiliary diaphragm.

The Examiner asserts that Walsh discloses in Fig. 8 that the auxiliary diaphragm covers the center portion of the diaphragm body. That is, it is Applicants' understanding that the Examiner regards the diaphragm body to include a suspension area, i.e., the surrounding means 7, and regards as the center portion an area except for the suspension area. Applicants respectfully disagree.

In Walsh, an auxiliary part made of paper 32 entirely covers the diaphragm 1. (col. 15, line 2 and Fig. 8). Diaphragm 1 is made of thin aluminum (col. 15, line 1). The suspension area in Walsh, i.e., the surrounding means 7, is made of a material of viscosity or mechanical hysteresis such that there will be a large amount of vibratory energy absorption (col. 8, lines 25-31). Accordingly, Walsh's suspension area, surrounding means 7, is not found or included in the diaphragm body made of metal as disclosed in the present application.

Therefore, independent claim 1 is patentable over Walsh. Further, since claim 8 depends from claim 1, claim 8 is also patentable for at least the same reasons as set out with respect to claim 1 above.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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